IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**
**WRIT PETITION NO : 23524 of 1997**

**Dated 31st January, 2007**

Between

Karra Venkata Naga Someswaramma

...Petitioner

and

The Government of AP, rep. By the Chief Secretary, Hyderabad and ors.

...Respondents.

**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO : 23524 of 1997**

**ORDER:**

This Writ Petition has been filed seeking a direction by way of Writ of Mandamus to direct the respondents not to demolish the structures in premises bearing Door No.2-55/1, Penumadam village, West Godavari District.

It is the case of the petitioner that he is the owner and possessor of house property bearing Door No. 2-55/1 in Penumadam village of West Godavari District. It is the grievance of the petitioner that without issuing notice and following the due process of law, the respondents have marked the land owned by him to demolish the structures

existing in it for the purpose of road widening.

At the stage of admission, this Court has granted interim direction dated 19-9-1997 directing the respondents not to demolish the structures of the petitioner. The said interim order continued all along.

Though this Writ Petition is of the year 1997, no counter affidavit is filed so far on behalf of the respondents. However, learned Government Pleader appearing for the respondents placed before this Court the para-wise remarks sent in this regard and submits that it is only the apprehension of the petitioner and if the land of the petitioner is required for public purpose, the same can be acquired by following the due process of law.

As it is stated in the affidavit filed in support of the Writ Petition, that the respondents have marked the structures owned by the petitioner to demolish the same for the purpose of road widening, and in absence of counter affidavit on behalf of the respondents controverting the said allegation, I dispose of the Writ Petition directing the respondents not to dispossess the petitioner from the premises bearing door No. 2-55/1 of Penumadam village otherwise than by due process of law. However, it is made clear that if the said land of the petitioner is required for public purpose, it is open for the respondents to take steps in accordance with law.

Subject to the above direction, the Writ Petition is disposed of . No order as to costs.

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*JUSTICE R. SUBHASH REDDY*

DATE: 31-01-2007
Msnr.